

DIST/OFFICE	DOCKET YR.	NUMBER	FILED DATE MO. DAY YEAR	J	N/S	O	R	R 23	\$	DEMAND OTHER	JUDGE NUMBER	JURY DEM.	DOCKET YR.	NUMBER
1085-4	75	0039	01 28 75	4	350	1				101	8510		75	0039-C

PLAINTIFFS

DEFENDANTS

LLOYD E. MINKER and VIRGINIA MINKER, husband and wife and surviving parents and next of kin of FREDDY GAY MINKER, deceased.

ST. LOUIS-SAN FRANCISCO RAILWAY COMPANY, a foreign corporation, and PAULA JEAN CARROLL DAVISON

CAUSE

Wrongful death 12 U.S.A. Sec. 1053

ATTORNEYS

Wm. S. Hall
Green, Feldman & Hall
816 Enterprise Building
Tulsa, Oklahoma 74103
Phone: 583-7129

Ben Franklin for Frisco Fy.
1717 Fidelity National Bldg.
Oklahoma City, Okla. 73102

Jack Thomas for Davison
200 Franklin Bldg.
Tulsa, Oklahoma 74103

235-0478

582-8877

<input type="checkbox"/> CHECK HERE IF CASE WAS FILED IN FORMA PAUPERIS	FILING FEES PAID			STATISTICAL CARDS	
	DATE	RECEIPT NUMBER	C.D. NUMBER	CARD	DATE MAILED
				JS-5	2-1-75
				JS-6	7-1-76

DATE	NR.	PROCEEDINGS
1-28-75	1.	Complaint, filed. Summons issued by certified mail. 1m
1-30-75		Return Receipt on Summons rec'd & filed - rec'd by Ben. Franklin on 1-29-75. g
2-13-75	2.	ANSWER of deft. St.L-SF Ry Co., filed. 1m
2-24-75		Alias summons issued on def. Paula Davison. rm
3-10-75	3.	<u>ANSWER</u> of def., Davison, filed. rm
3-31-75	4.	Motion of deft. SL-SF RW Co. for partial S/J, filed. hm
3-31-75	5.	Brief in support of mo/for S/J of deft. SL-SF RW Co., filed. hm
3-31-75	MO:	Ordered that pltf. file a responsive brief within 10 days to the motion for partial S/J of deft. SL-SF RW Co. (HDC-J)hm
3-31-75		Exhibit 1 to motion of deft. SL-SF RW Co. for partial S/J, filed. hm
3-31-75	6.	Motion of deft. Paula Jean Carroll Davidson for Partial S/J, filed.jj
3-31-75	7.	Brief in Support of Mtn. for Partial S/J of Deft. Paula Jean Carroll Davidson, filed.jj
3-31-75	MO:	Ordered that pltf. file a responsive brief within 10 days to the mtn. for partial S/J of deft. Paula Jean Carroll Davidson.(HDC-J)jj
4-9-75	8.	Response Brief of Pltfs in Opposition to Defts' Mtns for Partial S/J and Briefs in Support thereof, filed.jj
4-14-75	9.	Reply Brief of Deft. St. Louis-San Fran. RR Co. in Support of its Mtn. for Partial S/J, filed.jj
4-16-75	10.	Order, filed, overruling motions for partial S/J filed by defts. SL-SF RW Co. and Paula Jean Carroll Davison. (HDC-J)hm (copies mailed)
5-29-75	11.	Applic. of deft. Davison for amending previous order, filed. hm
5-29-75	12.	Order, filed, that all proceedings be stayed for 10 days from date of this order; if within such 10 days, the defts. shall apply to the USCA for 10th Circuit for permission to appeal from this order, the proceedings herein shall be stayed pending the determination of such applic. or of the appeal, if it is allowed. (HDC-J)hm (copies mailed)
7-3-75	13.	Copy of Order from 10th Circuit, filed, denying defs. petition for leave to appeal case. rm
7-16-75	MO:	Case set for PT hearing 8-27-75 at 11:30 a.m. (HDC-J)hm
8-27-75	MO:	Pretrial hearing held. Statements made. Pltf. to file brief on law of damages, and requested instructions, within 20 days. Deft. to respond within 20 days. Pretrial order filed in open court and case set for jury trial 1-19-76 at 10:00 a.m. (HDC-J)hm
8-27-75	14.	Pre-trial order, filed. (HDC-J)hm
9-5-75	15.	Plaintiff's Brief re Damages, filed. mm
9-5-75	16.	Plaintiffs' Requested Special Instructions, filed. mm
9-16-75	17.	Memorandum of Law, filed, with attached copy of testimony of Mr. & Mrs. Minker taken in the trial in the District Court of Ottawa County, Oklahoma on Dec. 18 & 19, 1974.mm
12-30	18.	Mot. for continuance from jury docket, fld. v (o)

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <u>75-C-039</u>
Lloyd E. Minker & Virginia Minker et al		St. Louis-San Francisco Rail- way Co., et al	PAGE <u>2</u> OF <u>2</u> PAGES
DATE	NR.	PROCEEDINGS	
1-6-76	19.	Order striking case from January trial docket, to be reset on next jury docket, filed. (HDC-J)g cpies mld.	
1-20-76	MO:	Case set for jury trial 5-25-76 at 10:00 a.m. (HDC-J)hm	
5-17	20.	Ans. brief of deft. St. Louis-San Francisco Railway Co. to Pltfs' brief re damages, filed. ph	
5-17	21.	Deft. St. Louis-San Francisco Railway Company's memo. trial brief, filed. ph	
5-17	22.	Instructions requested by deft., St. Louis-San Francisco Railway Co., filed. ph	
5-20	23.	Instructions requested by deft. Davison, filed. hm	
5-26	MO:	Jury trial held May 25 & 26. Parties announce ready. Parties confer in chambers prior to trial for rehearing on defts' objections to jurisdiction. Court overrules said objections. Jury empaneled, admonished and sworn. Rule invoked. Opening statements made. Pltf. presents case in chief w/test. of witnesses. Pltfs' & defts' exhibits admitted into evidence. Pltf. rests. Out of hearing of jury, each deft's mo/dismissal denied, but Court may reconsider & takes under advisement. Defts. present case in chief w/test. of witnesses. Out of hearing of jury, Court reaffirms denial of defts' motions to dismiss. Defts. rest. Upon all parties resting, defts. renew motions to dismiss & obj. to jurisd. & move for directed verdict - all overruled. Deft. Davison's motion for mistrial overruled. Closing arguments made. Instructions given to jury. Jury retires to deliberate at 4:17 p.m. on May 26. At 6:18 p.m. jury returns to courtroom w/question re proper use of verdict forms. Court makes statements. Jury retires to continue deliberating at 6:25 p.m. Jury returns w/verdict at 6:50 p.m. finding for the pltfs & against the defts. & fixing their damages in the amt. of \$31,302.71. Verdict ordered received, read & filed in open court. Jury discharged. Pltf. counsel to prepare formal judgment. 6:55 p.m. Court recessed. (HDC-J)hm	
5-26		Trial exhibits, filed. (all with file)hm	
5-26	24.	Instructions to the jury, filed in open court. (HDC-J)hm	
5-26	25.	Jury verdict, filed in open court. hm	
5-26	26.	Note from the jury foreman, filed in open court. hm	
5-28	27.	Interrogs. of St. Louis-San Francisco Railway Co. to its co-deft., Paula Jean Carroll Davison, filed. ph	
5-28	28.	Motion for new trial by deft., St. Louis-San Francisco Railway Company, filed. ph	
5-28	29.	Brief of deft. St. Louis-San Francisco Railway Company in support of its mo/new trial, and appl. for ext. of time to file additional brief, filed. ph	
5-28	30.	Order, filed, granting deft. St. Louis-San Francisco Railway Co. an additional 30 days to file additional brief in support of its motion for new trial. (HDC-J)ph cps mld	
6-7	31.	Journal entry of judgment, filed and entered, that pursuant to jury verdict, pltf. have judg. against defts., jointly and severally, in sum of \$31,302.71, w/int. at 10% from 5/26/76, & costs. (HDC-J)rm-copies mailed	

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <u>75-C-39-C</u> Sheet 2, Page <u>4</u> PAGE XXXX OF XXXX PAGES
Lloyd E. Minker, et al.		St. Louis-San Francisco Railway, et al	
DATE, 76	NR.	PROCEEDINGS	
6-8	32.	Brief of Deft., Paula Jean Carroll Davison, in support of her mot. for new trial & appl. for ext. of time to file additional brief, fld. v (o)	
6-8	33.	Mot. for new trial by Deft., Paula J. C. Davison, fld. v	
6-9	MO:	Ordered by the Court that Pltf. is granted 10 days from this date to respond to the mot. for new trial by Deft. Paula J.C. Davison. (HDC-J)v	
6-9	34.	Order, filed, granting deft. Paula Jean Carroll Davison until 6-27-76 to file her add. brief in support of her motion for new trial. (HDC-J)ph cps mld.	
6-14	35.	Motion for new trial by deft. St. Louis-San Francisco Railway Co., filed. ph	
6-14	36.	Brief of deft. St. Louis-San Francisco Railway Co., in support of its motion for new trial, and appl. for ext. of time to file additional brief (heretofore granted on 6-9-76, extending time until 6-27-76 to file brief), filed. ph	
6-16	37.	Additional brief of deft., St. Louis-San Francisco Railway Company, in support of its motion for new trial, filed. ph	
6-16	MO:	It is ordered by the Court that the pltf. file a resp. brief within 10 days to the Deft. St. Louis-San Francisco Railway Company's Motion for New Trial. (HDC-J)ph cps mld	
6-24	38.	Pltfs' resp. brief to defts' motions for new trial, filed. ph	
6-28	39.	Objections to interrogs. of St. Louis-San Francisco Railway Co. to Co-Deft. Paula Jean Carroll Davison, filed. ph	
6-29	40.	Brief in support of mot. for new trial, filed by deft. Paula Jean Carroll Davison.k	
7-9	41.	Resp. of St. Louis-San Francisco Railway Co. to objections to interrogs. by co-deft., Paula Jean Carroll Davison, filed. ph	
7-26	42.	Order, filed, that the Obj. to Interrogs. of deft. Davison be overruled and deft. Davison is hereby given 20 days to file her answers; further ordered that the Motions for New trial filed on behalf of Paula Jean Carroll Davison and the St. Louis-San Francisco Railway Co. should be overruled. (HDC-J)ph cps mld	
8-13	43.	Answers to interrogs. of St. Louis-San Francisco Railway Co. to its co-deft. Paula Jean Carroll Davison, FLD. V	
8-17	44	Notice of appeal by defendants, filed. g cp to USCA & counsel	
8-17	45	Supersedeas bond, filed. g	
8-17	46	Appellants' designation of portions of transcript for inclusion in appeal record. (cp to Ct.Reporter)	
8-19	47.	Motion of deft. St. Louis-San Francisco Railway Co. for order compelling proper ans. to interrogatory, filed. ph	
8-19	48.	Brief in support of motion of deft. St. Louis-San Francisco Railway Co. for order compelling proper ans. to interrog., filed. ph	
8-19	MO:	It is ordered by the Court that the Pltf. file a resp. brief within 10 days to the Motion of deft. St. Louis San Francisco Railway Co. for order compelling proper ans. to interrog. (HDC-J)ph cps mld	
8-24	49.	Pltfs.' responsive brief to mot. of deft. St. Louis-San Fran. RR for order compelling proper ans. to interrogatory, fld. v	

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <u>75-C-39-C</u>
LLOYD E. MINKER, ET AL		ST. LOUIS-SAN FRANCISCO RAILWAY ET AL	PAGE <u>5</u> OF <u>3</u> PAGES
DATE	NR.	PROCEEDINGS	
1976			
8-25	50.	Appellees counter designation of additional parts of the transcript for inclusion in record on appeal, filed. ph	
8-27	51.	Appellants' correction of their designation of portions of transcript for inclusion in record on appeal, filed. ph	
8-31	52.	Appellees' correction of counter-designation of record on appeal, filed. ph	
8-31	53.	Order, filed, that Motion for order compelling proper ans. to interrog is denied for lack of jurisdiction. (HDC-J)ph cps mld	
9-9		Reporter's transcript of jury trial proceedings (partial) had on 5/25 and 26, 1976, filed. (T. Bloxom-CR)rm	
9-13		Original record on appeal (4 vols) transmitted to USCA.rm	
10-26	54.	Copy of stipl. of parties to suppl. record on appeal, as granted by 10th Circuit, filed. rm	
11-5		Reporter's partial transcript of proceedings had on May 25, 26, 1976, jury trial, filed. (T. Bloxom-CR)rm - transmitted to USCA per their instructions as Suppl. Vol. I.	
5-26-78	55.	Release and satisfaction of judg. against deft. SL-SF Railway Company, filed. rm	
5-30-78		Mandate of USCA affirming judgment of 6-7-76, filed & spread of record. g	
5-30-78		Appeal record (4 vols.) rec'd from USCA. g	
7-20-78	56	Release and satisfaction of judgement, fld. ra	

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